



Donald L. Horwitz  
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December 19, 2014

Via CFTC Portal Submissions

Mr. Christopher Kirkpatrick  
Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
3 Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington D.C. 20581

**RE: Weekly Notification of Rule Amendments: Nadex Adds Discretionary Strike Levels in its Daily Germany 30, US Tech 100, Wall Street 30, US SmallCap 2000, and US 500 Binary Contracts During Week of December 15, 2014, Decreases Width in Intraday 5-Minute Currency Binary Contracts, Halts 5-Minute Contracts – Submission Pursuant to Commission Regulation §40.6(d)**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and section §40.6(d) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act (the “Regulations”), and by the authority granted in Nadex Rule 12, North American Derivatives Exchange, Inc. (“Nadex”, the “Exchange”) hereby provides notice that due to volatility in the underlying markets upon which the Nadex contracts are based, Nadex added additional strike levels on a discretionary basis in its Daily Germany 30 Binary contracts on December 15, 2014. Nadex returned to its regular listing schedule for these contracts on December 16, 2014. Additionally, Nadex added strike levels in its Daily US Tech 100 on December 16, 2014. Nadex added strike levels in its Daily US Tech 100 and US SmallCap 2000 on December 17, 2014. Finally, Nadex added strike levels in its US Tech 100, Wall Street 30, US SmallCap 2000, and US 500 Binary Contracts on December 18, 2014. Nadex returned to its regular listing schedule for all contracts on December 19, 2014.

New strikes created during the week of December 15, 2014 are set forth in Exhibit A.

Additionally, Nadex has decreased the strike width in its Intraday 5-Minute Currency Binary contracts. Rule changes amending the Intraday 5-Minute Binary strike widths have been

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outlined in Exhibit B, and Rule amendments are attached hereto in Exhibit C. Rule amendments have been underlined and deletions have been stricken out.

Finally, in accordance with the authority granted in Nadex Rules 12.27(f)(iv)(5), 12.29(f)(iv)(5), 12.31(f)(iv)(5), and 12.37(f)(iv)(5), Nadex temporarily halted the listing of its Intraday 5-Minute Currency Binary contracts on trade date Monday, December 15, 2014, until 9:30am ET on that day. Therefore the first expiration time for the 5-Minute Currency Binary contracts on that day occurred at 9:35am ET. Also, due to the possibility of a duplicate strike level conflict, no Intraday 5-Minute Currency Binary contract which would expire on the hour were listed for the week of December 15, 2015.

Nadex hereby certifies that the additions contained herein comply with the Act, as amended, and the Commission Regulations adopted thereunder.

Nadex hereby certifies that a copy of these additions was posted on its website at the time of this filing.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0953 or by email at Donald.horwitz@nadex.com.

Sincerely,



Donald L. Horwitz  
General Counsel and Chief Regulatory Officer

## EXHIBIT A

### Daily Germany 30 Binary Strikes Added on December 15, 2014

- 1) Germany 30 (Dec) >9240 (4PM)
- 2) Germany 30 (Dec) >9260 (4PM)
- 3) Germany 30 (Dec) >9280 (4PM)
- 4) Germany 30 (Dec) >9300 (4PM)
- 5) Germany 30 (Dec) >9320 (4PM)
- 6) Germany 30 (Dec) >9340 (4PM)
- 7) Germany 30 (Dec) >9360 (4PM)
- 7) Germany 30 (Dec) >9380 (4PM)

### Daily US Tech 100 Binary Strikes Added on December 16, 2014

- 1) US Tech 100 (Dec) >4056 (4:15PM)
- 2) US Tech 100 (Dec) >4060 (4:15PM)
- 3) US Tech 100 (Dec) >4064 (4:15PM)
- 4) US Tech 100 (Dec) >4068 (4:15PM)
- 5) US Tech 100 (Dec) >4072 (4:15PM)
- 6) US Tech 100 (Dec) >4076 (4:15PM)
- 7) US Tech 100 (Dec) >4080 (4:15PM)
- 8) US Tech 100 (Dec) >4084 (4:15PM)
- 9) US Tech 100 (Dec) >4088 (4:15PM)
- 10) US Tech 100 (Dec) >4092 (4:15PM)
- 11) US Tech 100 (Dec) >4096 (4:15PM)
- 12) US Tech 100 (Dec) >4100 (4:15PM)
- 13) US Tech 100 (Dec) >4104 (4:15PM)
- 14) US Tech 100 (Dec) >4108 (4:15PM)
- 15) US Tech 100 (Dec) >4112 (4:15PM)
- 16) US Tech 100 (Dec) >4116 (4:15PM)

### Daily US Tech 100 Binary Strikes Added on December 17, 2014

- 1) US Tech 100 (Dec) >4132 (4:15PM)
- 2) US Tech 100 (Dec) >4136 (4:15PM)
- 3) US Tech 100 (Dec) >4140 (4:15PM)
- 4) US Tech 100 (Dec) >4144 (4:15PM)
- 5) US Tech 100 (Dec) >4148 (4:15PM)
- 6) US Tech 100 (Dec) >4152 (4:15PM)
- 7) US Tech 100 (Dec) >4156 (4:15PM)
- 8) US Tech 100 (Dec) >4160 (4:15PM)
- 9) US Tech 100 (Dec) >4164 (4:15PM)
- 10) US Tech 100 (Dec) >4168 (4:15PM)
- 11) US Tech 100 (Dec) >4172 (4:15PM)
- 12) US Tech 100 (Dec) >4176 (4:15PM)
- 13) US Tech 100 (Dec) >4180 (4:15PM)

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- 14) US Tech 100 (Dec) >4184 (4:15PM)
- 15) US Tech 100 (Dec) >4188 (4:15PM)
- 16) US Tech 100 (Dec) >4192 (4:15PM)
- 17) US Tech 100 (Dec) >4196 (4:15PM)
- 18) US Tech 100 (Dec) >4200 (4:15PM)

**Daily US SmallCap 2000 Binary Strikes Added on December 17, 2014**

- 1) US SmallCap 2000 (Dec) >1154.0 (4:15PM)
- 2) US SmallCap 2000 (Dec) >1156.0 (4:15PM)
- 3) US SmallCap 2000 (Dec) >1158.0 (4:15PM)
- 4) US SmallCap 2000 (Dec) >1160.0 (4:15PM)
- 5) US SmallCap 2000 (Dec) >1162.0 (4:15PM)
- 6) US SmallCap 2000 (Dec) >1164.0 (4:15PM)
- 7) US SmallCap 2000 (Dec) >1166.0 (4:15PM)
- 8) US SmallCap 2000 (Dec) >1168.0 (4:15PM)
- 9) US SmallCap 2000 (Dec) >1170.0 (4:15PM)
- 10) US SmallCap 2000 (Dec) >1172.0 (4:15PM)
- 11) US SmallCap 2000 (Dec) >1174.0 (4:15PM)
- 12) US SmallCap 2000 (Dec) >1176.0 (4:15PM)
- 13) US SmallCap 2000 (Dec) >1178.0 (4:15PM)
- 14) US SmallCap 2000 (Dec) >1180.0 (4:15PM)
- 15) US SmallCap 2000 (Dec) >1182.0 (4:15PM)
- 16) US SmallCap 2000 (Dec) >1184.0 (4:15PM)
- 17) US SmallCap 2000 (Dec) >1186.0 (4:15PM)
- 18) US SmallCap 2000 (Dec) >1188.0 (4:15PM)

**Daily US Tech 100 Binary Strikes Added on December 18, 2014**

- 1) US Tech 100 (Dec) >4204 (4:15PM)
- 2) US Tech 100 (Dec) >4208 (4:15PM)
- 3) US Tech 100 (Dec) >4212 (4:15PM)
- 4) US Tech 100 (Dec) >4216 (4:15PM)
- 5) US Tech 100 (Dec) >4220 (4:15PM)
- 6) US Tech 100 (Dec) >4224 (4:15PM)
- 7) US Tech 100 (Dec) >4228 (4:15PM)
- 8) US Tech 100 (Dec) >4232 (4:15PM)
- 9) US Tech 100 (Dec) >4236 (4:15PM)
- 10) US Tech 100 (Dec) >4240 (4:15PM)
- 11) US Tech 100 (Dec) >4244 (4:15PM)
- 12) US Tech 100 (Dec) >4248 (4:15PM)
- 13) US Tech 100 (Dec) >4252 (4:15PM)
- 14) US Tech 100 (Dec) >4256 (4:15PM)
- 15) US Tech 100 (Dec) >4260 (4:15PM)
- 16) US Tech 100 (Dec) >4264 (4:15PM)

### **Daily Wall Street 30 Binary Strikes Added on December 18, 2014**

- 1) Wall Street 30 (Dec) >17510 (4:15PM)
- 2) Wall Street 30 (Dec) >17530 (4:15PM)
- 3) Wall Street 30 (Dec) >17550 (4:15PM)
- 4) Wall Street 30 (Dec) >17570 (4:15PM)
- 5) Wall Street 30 (Dec) >17590 (4:15PM)
- 6) Wall Street 30 (Dec) >17610 (4:15PM)
- 7) Wall Street 30 (Dec) >17630 (4:15PM)
- 8) Wall Street 30 (Dec) >17650 (4:15PM)
- 9) Wall Street 30 (Dec) >17670 (4:15PM)
- 10) Wall Street 30 (Dec) >17690 (4:15PM)
- 11) Wall Street 30 (Dec) >17710 (4:15PM)
- 12) Wall Street 30 (Dec) >17730 (4:15PM)
- 13) Wall Street 30 (Dec) >17750 (4:15PM)
- 14) Wall Street 30 (Dec) >17770 (4:15PM)
- 15) Wall Street 30 (Dec) >17790 (4:15PM)

### **Daily US SmallCap 2000 Binary Strikes Added on December 18, 2014**

- 1) US SmallCap 2000 (Dec) >1192.0 (4:15PM)
- 2) US SmallCap 2000 (Dec) >1194.0 (4:15PM)
- 3) US SmallCap 2000 (Dec) >1196.0 (4:15PM)
- 4) US SmallCap 2000 (Dec) >1198.0 (4:15PM)
- 5) US SmallCap 2000 (Dec) >1200.0 (4:15PM)
- 6) US SmallCap 2000 (Dec) >1202.0 (4:15PM)
- 7) US SmallCap 2000 (Dec) >1204.0 (4:15PM)
- 8) US SmallCap 2000 (Dec) >1206.0 (4:15PM)
- 9) US SmallCap 2000 (Dec) >1208.0 (4:15PM)
- 10) US SmallCap 2000 (Dec) >1210.0 (4:15PM)

### **Daily US 500 Binary Strikes Added on December 18, 2014**

- 1) US 500 (Dec) >2041.0 (4:15PM)
- 2) US 500 (Dec) >2044.0 (4:15PM)
- 3) US 500 (Dec) >2047.0 (4:15PM)
- 4) US 500 (Dec) >2050.0 (4:15PM)
- 5) US 500 (Dec) >2053.0 (4:15PM)
- 6) US 500 (Dec) >2056.0 (4:15PM)
- 7) US 500 (Dec) >2059.0 (4:15PM)
- 8) US 500 (Dec) >2062.0 (4:15PM)
- 9) US 500 (Dec) >2065.0 (4:15PM)

**EXHIBIT B**

<b>Rule</b>	<b>Asset</b>	<b>Duration/ Close Time</b>	<b>Action</b>	<b>Effective Date</b>
12.27	AUD/USD Binary Contracts	Intraday 5-Minute Contracts expiring every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET	Adjust strike width.	12/15/2014
12.29	EUR/USD Binary Contracts	Intraday 5-Minute Contracts expiring every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET	Adjust strike width.	12/15/2014
12.31	GBP/USD Binary Contracts	Intraday 5-Minute Contracts expiring every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET	Adjust strike width.	12/15/2014
12.37	USD/JPY Binary Contracts	Intraday 5-Minute Contracts expiring every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET	Adjust strike width.	12/15/2014

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## EXHIBIT C

Amendment of Rules 12.27, 12.29, 12.31, and 12.37

*(The following Rule amendments are underlined and deletions are stricken out)*

RULES 1.1 – 12.26 [UNCHANGED]

### RULE 12.27 CURRENCY EXCHANGE AUD/USD BINARY CONTRACTS

(a) SCOPE – These Rules shall apply to the Class of Contracts referred to as the Currency Exchange AUD/USD (“AUD/USD”) Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the Australian dollar/US dollar herein referred to as “AUD/USD” as quoted in U.S. dollars per Australian dollar obtained from the spot AUD/USD foreign currency market.

(c) SOURCE AGENCY – The Source Agency is Nadex.

(d) TYPE – The type of Contract is a Binary Contract.

(e) ISSUANCE – For each planned release by the Source Agency of the Underlying, Nadex will issue various Contracts, each of a different Series. A new issuance of Contracts will commence no later than two (2) business days following the Expiration Date.

(f) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the AUD/USD Binary Contract, the Payout Criteria for the Contracts will be set as follows:

#### (i) WEEKLY AUD/USD BINARY CONTRACTS

(1) EXPIRATION TIME – 3 PM ET CLOSE

(2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0050.

(3) NUMBER OF STRIKE LEVELS LISTED - Fourteen (14) strike levels will be listed for each Weekly AUD/USD Binary Contract Series.

(4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “W” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in either 0.0025 or 0.0075 as reported by the Source Agency. Six (6) strike levels will be generated above Binary Contract W at an interval of 0.0050, and seven (7) strike levels will be generated below Binary

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Contract W at an interval of 0.0050 (e.g.  $W - 0.0050$ ;  $W$ ;  $W + 0.0050$ ). The Contract will have a Payout Criterion of greater than the strike level value.

#### (ii) DAILY AUD/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 AM, 7 AM, 11 AM, 3 PM, 7 PM, 11 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0020.
- (3) NUMBER OF STRIKE LEVELS LISTED – Twenty-one (21) strike levels will be listed for each Daily AUD/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “X” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0020 as reported by the Source Agency. Ten (10) strike levels will be generated above Binary Contract X at an interval of 0.0020, and ten (10) strike levels will be generated below Binary Contract X at an interval of 0.0020 (e.g.  $X - 0.0020$ ;  $X$ ;  $X + 0.0020$ ). The Contract will have a Payout Criterion of greater than the strike level value.

#### (iii) INTRADAY 2-HOUR AUD/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 8 PM, 9 PM, 10 PM, 11 PM, 12 AM, 1 AM, 2 AM, 3 AM, 4 AM, 5 AM, 6 AM, 7 AM, 8 AM, 9 AM, 10 AM, 11 AM, 12 PM, 1 PM, 2 PM, 3 PM, 4 PM, 5 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0005.
- (3) NUMBER OF STRIKE LEVELS LISTED – Nineteen (19) strike levels will be listed for each Intraday 2-Hour AUD/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “Y” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. Nine (9) strike levels will be generated above Binary Contract Y at an interval of 0.0005, and nine (9) strike levels will be generated below Binary Contract Y at an interval of 0.0005 (e.g.  $Y - 0.0005$ ;  $Y$ ;  $Y + 0.0005$ ). The Contract will have a Payout Criterion of greater than the strike level value.

#### (iv) INTRADAY 5-MINUTE AUD/USD BINARY CONTRACTS

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- (1) EXPIRATION TIME – 5-Minute Binary Contracts will expire every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET.
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be ~~0.001~~0.0004.
- (3) NUMBER OF STRIKE LEVELS LISTED – Three (3) strike levels will be listed for each Intraday 5-Minute AUD/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “Z” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. One (1) strike level will be generated above Binary Contract Z at an interval of ~~0.001~~0.0004, and one (1) strike level will be generated below Binary Contract Z at an interval of ~~0.001~~0.0004 (e.g. Z – ~~0.001~~0.0004; Z; Z + ~~0.001~~0.0004). The Contract will have a

Payout

Criterion of greater than the strike level value.

- (5) Nadex may, in its discretion, temporarily halt the listing of any 5-Minute Binary Contract due to the unavailability of the underlying market upon which the Contract is based, or any other condition Nadex determines may be detrimental to the listing of the Contract.

(v) Nadex may list additional AUD/USD Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the CEA and Commission Regulations.

(g) MINIMUM TICK – The Minimum Tick size for AUD/USD Binary Contracts shall be \$0.25.

(h) REPORTING LEVEL – The Reporting Level for the AUD/USD Binary Contracts shall be 12,500 Contracts.

(i) POSITION LIMIT – There are currently no Position Limits for AUD/USD Binary Contract.

(j) LAST TRADING DATE – The Last Trading Date in a Series is the same as the Expiration Date. No trading in the AUD/USD Binary Contracts shall occur after its Last Trading Date.

(k) SETTLEMENT DATE – The Settlement Date will be the date on which the AUD/USD number as reported by the Source Agency.

(l) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the AUD/USD number is scheduled to be released.

(m) **SETTLEMENT VALUE** – The Settlement Value is the amount paid to the holder of the in the money Contract on the Settlement Date. The Settlement Value of an in the money AUD/USD Binary Contract is \$100.

(n) **EXPIRATION VALUE** – The Expiration Value is the price or value of AUD/USD as released by the Source Agency on the Expiration Date. The Expiration Value is calculated by the Source Agency by taking the last ten (10) Midpoints between the bid/ask spread (five pips wide or less) just prior to the close of trading of the AUD/USD Binary Contract and removing the highest three (3) Midpoints and the lowest three (3) Midpoints, using the remaining four (4) AUD/USD Midpoints to calculate the Expiration Value. The calculation used is a simple average of all four (4) AUD/USD Midpoints, rounded to one decimal point past the precision of the underlying market. A Midpoint is calculated by adding the bid price and the ask price together and then dividing that number by two (2). For example, if the bid price is 1.3400 and the ask price is 1.3402, the two numbers are added together (totaling 2.6802) and then divided by two (2), equaling a Midpoint of 1.3401. If the spread between a particular bid price and ask price is deemed too wide (greater than five (5) pips), those prices will not be used to calculate a Midpoint and will thus not be included within the 10 initially captured values.

(o) **CONTINGENCIES** – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

#### **RULE 12.28 [UNCHANGED]**

#### **RULE 12.29 CURRENCY EXCHANGE EUR/USD BINARY CONTRACTS**

(a) **SCOPE** – These Rules shall apply to the Class of Contracts referred to as the Currency Exchange EUR/USD (“EUR/USD”) Binary Contract issued by Nadex.

(b) **UNDERLYING** – The Underlying for this Class of Contracts is the Euro/US dollar herein referred to as “EUR/USD” as quoted in U.S. dollars per Euro obtained from the spot EUR/USD foreign currency market.

(c) **SOURCE AGENCY** – The Source Agency is Nadex.

(d) **TYPE** – The type of Contract is a Binary Contract.

(e) **ISSUANCE** – For each planned release by the Source Agency of the Underlying, Nadex will issue various Contracts, each of a different Series. A new issuance of Contracts will commence no later than two (2) business days following the Expiration Date.

(f) **PAYOUT CRITERION** – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the EUR/USD Binary Contract, the Payout Criteria for the Contracts will be set as follows:

#### **(i) WEEKLY EUR/USD BINARY CONTRACTS**

- (1) EXPIRATION TIME – 3 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0050.
- (3) NUMBER OF STRIKE LEVELS LISTED - Fourteen (14) strike levels will be listed for each Weekly EUR/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “W” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0025 or 0.0075 as reported by the Source Agency. Six (6) strike levels will be generated above Binary Contract W at an interval of 0.0050, and seven (7) strike levels will be generated below Binary Contract W at an interval of 0.0050 (e.g.  $W - 0.0050$ ;  $W$ ;  $W + 0.0050$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(ii) DAILY EUR/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 AM, 7 AM, 11 AM, 3 PM, 7 PM, 11 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0020.
- (3) NUMBER OF STRIKE LEVELS LISTED – Twenty-one (21) strike levels will be listed for each Daily EUR/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “X” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0020 as reported by the Source Agency. Ten (10) strike levels will be generated above Binary Contract X at an interval of 0.0020, and ten (10) strike levels will be generated below Binary Contract X at an interval of 0.0020 (e.g.  $X - 0.0020$ ;  $X$ ;  $X + 0.0020$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(iii) INTRADAY 2-HOUR EUR/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 8 PM, 9 PM, 10 PM, 11 PM, 12 AM, 1 AM, 2 AM, 3 AM, 4 AM, 5 AM, 6 AM, 7 AM, 8 AM, 9 AM, 10 AM, 11 AM, 12 PM, 1 PM, 2 PM, 3 PM, 4 PM, 5 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0004.
- (3) NUMBER OF STRIKE LEVELS LISTED – Nineteen (19) strike levels

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will be listed for each Intraday 2-Hour EUR/USD Binary Contract Series.

- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract "Y" is valued 'at-the-money' in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. Nine (9) strike levels will be generated above Binary Contract Y at an interval of 0.0004, and nine (9) strike levels will be generated below Binary Contract Y at an interval of 0.0004 (e.g.  $Y - 0.0004$ ;  $Y$ ;  $Y + 0.0004$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(iv) INTRADAY 5-MINUTE EUR/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 5-Minute Binary Contracts will expire every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET.
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be ~~0.00080~~0.0003.
- (3) NUMBER OF STRIKE LEVELS LISTED – Three (3) strike levels will be listed for each Intraday 5-Minute EUR/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract "Z" is valued 'at-the-money' in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. One (1) strike level will be generated above Binary Contract Z at an interval of ~~0.00080~~0.0003, and one (1) strike level will be generated below Binary Contract Z at an interval of ~~0.00080~~0.0003 (e.g.  $Z - 0.00080$ 0.0003;  $Z$ ;  $Z + 0.00080$ 0.0003). The Contract will have a Payout Criterion of greater than the strike level value.
- (5) Nadex may, in its discretion, temporarily halt the listing of any 5-Minute Binary Contract due to the unavailability of the underlying market upon which the Contract is based, or any other condition Nadex determines may be detrimental to the listing of the Contract.

(v) Nadex may list additional EUR/USD Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the CEA and Commission Regulations.

(g) MINIMUM TICK – The Minimum Tick size for EUR/USD Binary Contracts shall be \$0.25.

(h) REPORTING LEVEL – The Reporting Level for the EUR/USD Binary Contracts shall be 12,500 Contracts.

(i) POSITION LIMIT – There are currently no Position Limits for EUR/USD Binary Contract.

(j) LAST TRADING DATE – The Last Trading Date in a Series is the same as the Expiration Date. No trading in the EUR/USD Binary Contracts shall occur after its Last Trading Date.

(k) SETTLEMENT DATE – The Settlement Date will be the date on which the EUR/USD number as reported by the Source Agency.

(l) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the EUR/USD number is scheduled to be released.

(m) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on the Settlement Date. The Settlement Value of an in the money EUR/USD Binary Contract is \$100.

(n) EXPIRATION VALUE – The Expiration Value is the price or value of EUR/USD as released by the Source Agency on the Expiration Date. The Expiration Value is calculated by the Source Agency by taking the last ten (10) Midpoints between the bid/ask spread (five pips wide or less) just prior to the close of trading of the EUR/USD Binary Contract and removing the highest three (3) Midpoints and the lowest three (3) Midpoints, using the remaining four (4) EUR/USD Midpoints to calculate the Expiration Value. The calculation used is a simple average of all four (4) EUR/USD Midpoints, rounded to one decimal point past the precision of the underlying market. A Midpoint is calculated by adding the bid price and the ask price together and then dividing that number by two (2). For example, if the bid price is 1.3400 and the ask price is 1.3402, the two numbers are added together (totaling 2.6802) and then divided by two (2), equaling a Midpoint of 1.3401. If the spread between a particular bid price and ask price is deemed too wide (greater than five (5) pips), those prices will not be used to calculate a Midpoint and will thus not be included within the 10 initially captured values.

(o) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

#### RULE 12.30 [UNCHANGED]

#### RULE 12.31 CURRENCY EXCHANGE GBP/USD BINARY CONTRACTS

(a) SCOPE – These Rules shall apply to the Class of Contracts referred to as the Currency Exchange GBP/USD (“GBP/USD”) Binary Contract issued by Nadex.

(b) UNDERLYING – The Underlying for this Class of Contracts is the British Pound/US dollar herein referred to as “GBP/USD” as quoted in US dollars per British Pound obtained from the spot GBP/USD foreign currency market.

(c) SOURCE AGENCY – The Source Agency is Nadex.

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(d) TYPE – The type of Contract is a Binary Contract.

(e) ISSUANCE – For each planned release by the Source Agency of the Underlying, Nadex will issue various Contracts, each of a different Series. A new issuance of Contracts will commence no later than two (2) business days following the Expiration Date.

(f) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the GBP/USD Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY GBP/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0050.
- (3) NUMBER OF STRIKE LEVELS LISTED - Fourteen (14) strike levels will be listed for each Weekly GBP/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “W” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0025 or 0.0075 as reported by the Source Agency. Six (6) strike levels will be generated above Binary Contract W at an interval of 0.0050, and seven (7) strike levels will be generated below Binary Contract W at an interval of 0.0050 (e.g.  $W - 0.0050$ ;  $W$ ;  $W + 0.0050$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(ii) DAILY GBP/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 AM, 7 AM, 11 AM, 3 PM, 7 PM, 11 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0020.
- (3) NUMBER OF STRIKE LEVELS LISTED – Twenty-one (21) strike levels will be listed for each Daily GBP/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “X” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0020 as reported by the Source Agency. Ten (10) strike levels will be generated above Binary Contract X at an interval of 0.0020, and ten (10) strike levels will be generated below Binary Contract X at an interval of 0.0020 (e.g.  $X - 0.0020$ ;  $X$ ;  $X + 0.0020$ ). The Contract will have a Payout

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Criterion of greater than the strike level value.

(iii) INTRADAY 2-HOUR GBP/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 8 PM, 9 PM, 10 PM, 11 PM, 12 AM, 1 AM, 2 AM, 3 AM, 4 AM, 5 AM, 6 AM, 7 AM, 8 AM, 9 AM, 10 AM, 11 AM, 12 PM, 1 PM, 2 PM, 3 PM, 4 PM, 5 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.0010.
- (3) NUMBER OF STRIKE LEVELS LISTED – Nine (9) strike levels will be listed for each Intraday 2-Hour GBP/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “Y” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. Four (4) strike levels will be generated above Binary Contract Y at an interval of 0.0010, and four (4) strike levels will be generated below Binary Contract Y at an interval of 0.0010 (e.g.  $Y - 0.0010$ ;  $Y$ ;  $Y + 0.0010$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(iv) INTRADAY 5-MINUTE GBP/USD BINARY CONTRACTS

- (1) EXPIRATION TIME – 5-Minute Binary Contracts will expire every 5 Minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET.
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be ~~0.0012~~0.0003.
- (3) NUMBER OF STRIKE LEVELS LISTED – Three (3) strike levels will be listed for each Intraday 5-Minute GBP/USD Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “Z” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.0001 as reported by the Source Agency. One (1) strike level will be generated above Binary Contract Z at an interval of ~~0.0012~~0.0003, and one (1) strike level will be generated below Binary Contract Z at an interval of ~~0.0012~~0.0003 (e.g.  $Z - 0.0012$ 0.0003;  $Z$ ;  $Z + 0.0012$ 0.0003). The Contract will have a Payout Criterion of greater than the strike level value.
- (5) Nadex may, in its discretion, temporarily halt the listing of any 5-Minute Binary Contract due to the unavailability of the underlying market upon which the Contract is based, or any other condition Nadex determines may be

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detrimental to the listing of the Contract.

(v) Nadex may list additional GBP/USD Binary Contract with different ranges of Payout Criteria on a discretionary basis in accordance with the CEA and Commission Regulations.

(g) MINIMUM TICK – The Minimum Tick size for GBP/USD Binary Contracts shall be \$0.25.

(h) REPORTING LEVEL – The Reporting Level for the GBP/USD Binary Contracts shall be 12,500 Contracts.

(i) POSITION LIMIT – There are currently no Position Limits for GBP/USD Binary Contract.

(j) LAST TRADING DATE – The Last Trading Date in a Series is the same date as the Expiration Date. No trading in the GBP/USD Binary Contracts shall occur after its Last Trading Date.

(k) SETTLEMENT DATE – The Settlement Date will be the date the GBP/USD number is scheduled to be released.

(l) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the GBP/USD number is scheduled to be released.

(m) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on the Settlement Date. The Settlement Value of an in the money GBP/USD Binary Contract is \$100.

(n) EXPIRATION VALUE – The Expiration Value is the price or value of GBP/USD as released by the Source Agency on the Expiration Date. The Expiration Value is calculated by the Source Agency by taking the last ten (10) Midpoints between the bid/ask spread (five pips wide or less) just prior to the close of trading of the GBP/USD Binary Contract and removing the highest three (3) Midpoints and the lowest three (3) Midpoints, using the remaining four (4) GBP/USD Midpoints to calculate the Expiration Value. The calculation used is a simple average of all four (4) GBP/USD Midpoints, rounded to one decimal point past the precision of the underlying market. A Midpoint is calculated by adding the bid price and the ask price together and then dividing that number by two (2). For example, if the bid price is 1.9900 and the ask price is 1.9902, the two numbers are added together (totaling 3.9802) and then divided by two (2), equaling a Midpoint of 1.9901. If the spread between a particular bid price and ask price is deemed too wide (greater than five (5) pips), those prices will not be used to calculate a Midpoint and will thus not be included within the 10 initially captured values.

(o) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.



RULES 12.32 – 12.36 [UNCHANGED]

RULE 12.37 CURRENCY EXCHANGE USD/JPY BINARY CONTRACTS

- (a) SCOPE – These Rules shall apply to the Class of Contracts referred to as the Currency Exchange USD/JPY (“USD/JPY”) Binary Contract issued by Nadex.
- (b) UNDERLYING – The Underlying for this Class of Contracts is the US dollar/ Japanese Yen, herein referred to as “USD/JPY” as quoted in the Japanese Yen per US dollar obtained from the spot USD/JPY foreign currency market.
- (c) SOURCE AGENCY – The Source Agency is Nadex.
- (d) TYPE – The type of Contract is a Binary Contract.
- (e) ISSUANCE – For each planned release by the Source Agency of the Underlying, Nadex will issue various Contracts, each of a different Series. A new issuance of Contracts will commence no later than two (2) business days following the Expiration Date.
- (f) PAYOUT CRITERION – The Payout Criterion for each Contract will be set by Nadex at the time the Binary Contracts are initially issued. For the USD/JPY Binary Contract, the Payout Criteria for the Contracts will be set as follows:

(i) WEEKLY USD/JPY BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.50.
- (3) NUMBER OF STRIKE LEVELS LISTED - Fourteen (14) strike levels will be listed for each Weekly USD/JPY Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “W” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.25 or 0.75 as reported by the Source Agency. Six (6) strike levels will be generated above Binary Contract W at an interval of 0.50, and seven (7) strike levels will be generated below Binary Contract W at an interval of 0.50 (e.g.  $W - 0.50$ ;  $W$ ;  $W + 0.50$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(ii) DAILY USD/JPY BINARY CONTRACTS

- (1) EXPIRATION TIME – 3 AM, 7 AM, 11 AM, 3 PM, 7 PM, 11 PM ET CLOSE

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- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.20.
- (3) NUMBER OF STRIKE LEVELS LISTED – Twenty-one (21) strike levels will be listed for each Daily USD/JPY Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “X” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.20 as reported by the Source Agency. Ten (10) strike levels will be generated above Binary Contract X at an interval of 0.20, and ten (10) strike levels will be generated below Binary Contract X at an interval of 0.20 (e.g.  $X - 0.20$ ;  $X$ ;  $X + 0.20$ ). The Contract will have a Payout Criterion of greater than the strike level value.

#### (iii) INTRADAY 2-HOUR USD/JPY BINARY CONTRACTS

- (1) EXPIRATION TIME – 8 PM, 9 PM, 10 PM, 11 PM, 12 AM, 1 AM, 2 AM, 3 AM, 4 AM, 5 AM, 6 AM, 7 AM, 8 AM, 9 AM, 10 AM, 11 AM, 12 PM, 1 PM, 2 PM, 3 PM, 4 PM, 5 PM ET CLOSE
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be 0.04.
- (3) NUMBER OF STRIKE LEVELS LISTED – Nineteen (19) strike levels will be listed for each Intraday 2-Hour USD/JPY Binary Contract Series.
- (4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract “Y” is valued ‘at-the-money’ in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.01 as reported by the Source Agency. Nine (9) strike levels will be generated above Binary Contract Y at an interval of 0.04, and nine (9) strike levels will be generated below Binary Contract Y at an interval of 0.04 (e.g.  $Y - 0.04$ ;  $Y$ ;  $Y + 0.04$ ). The Contract will have a Payout Criterion of greater than the strike level value.

#### (iv) INTRADAY 5-MINUTE USD/JPY BINARY CONTRACTS

- (1) EXPIRATION TIME – 5-Minute Binary Contracts will expire every 5 minutes beginning Sunday at 6:05pm ET and ending Friday at 4:00pm ET.
- (2) STRIKE INTERVAL WIDTH – The interval width between each strike level shall be ~~0.08~~0.03.
- (3) NUMBER OF STRIKE LEVELS LISTED – Three (3) strike levels will be listed for each Intraday 5-Minute USD/JPY Binary Contract Series.

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(4) STRIKE LEVELS GENERATED - Strike levels will be generated such that Binary Contract "Z" is valued 'at-the-money' in relation to the Underlying market as determined by the Source Agency, immediately before the issuance of these Contracts, and shall be measured in U.S. cents rounded to the nearest value ending in 0.01 as reported by the Source Agency. One (1) strike level will be generated above Binary Contract Z at an interval of ~~0.080.03~~, and one (1) strike level will be generated below Binary Contract Z at an interval of ~~0.080.03~~ (e.g.  $Z - 0.080.03$ ;  $Z$ ;  $Z + 0.080.03$ ). The Contract will have a Payout Criterion of greater than the strike level value.

(5) Nadex may, in its discretion, temporarily halt the listing of any 5-Minute Binary Contract due to the unavailability of the underlying market upon which the Contract is based, or any other condition Nadex determines may be detrimental to the listing of the Contract.

(v) Nadex may list additional USD/JPY Binary Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the CEA and Commission Regulations.

(g) MINIMUM TICK – The Minimum Tick size for USD/JPY Binary Contracts shall be \$0.25.

(h) REPORTING LEVEL – The Reporting Level for the USD/JPY Binary Contracts shall be 12,500 Contracts.

(i) POSITION LIMIT – There are currently no Position Limits for USD/JPY Binary Contract.

(j) LAST TRADING DATE – The Last Trading Date in a Series is the same date as the Expiration Date. No trading in the USD/JPY Binary Contracts shall occur after its Last Trading Date.

(k) SETTLEMENT DATE – The Settlement Date will be the date the USD/JPY number is released by the Source Agency.

(l) EXPIRATION DATE – The Expiration Date of the Contract will be the date on which the USD/JPY number is scheduled to be released.

(m) SETTLEMENT VALUE – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money USD/JPY Binary Contract is \$100.

(n) EXPIRATION VALUE – The Expiration Value is the price or value of USD/JPY as released by the Source Agency on the Expiration Date. The Expiration Value is calculated by the Source Agency by taking the last ten (10) Midpoints between the bid/ask spread (five pips wide or less) just prior to the close of trading of the USD/JPY Binary Contract and removing the highest three (3) Midpoints and the lowest three (3) Midpoints, using the remaining four (4) USD/JPY Midpoints to calculate the Expiration Value. The calculation used is a simple average

of all four (4) USD/JPY Midpoints, rounded to one decimal point past the precision of the underlying market. A Midpoint is calculated by adding the bid price and the ask price together and then dividing that number by two (2). For example, if the bid price is 121.00 and the ask price is 121.02, the two numbers are added together (totaling 242.02) and then divided by two (2), equaling a Midpoint of 121.01. If the spread between a particular bid price and ask price is deemed too wide (greater than five (5) pips), those prices will not be used to calculate a Midpoint and will thus not be included within the 10 initially captured values.

(o) CONTINGENCIES – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

RULES 12.36 – 12.78 [UNCHANGED]

*End of Rulebook*